

A

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 938/2003

This the 10th day of ~~September~~^{October}, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. Smt. Asha Rani
w/o late Sh. Bengali Singh.
2. Sh. Ravinder Kumar
s/o late Sh. Bengali Singh.
both R/o D-911, Bhaian Pura.
Delhi-110053.

(None)

Versus

1. Govt. of NCT of Delhi.
Through its Secretary (Services).
Delhi Secretariat, I.P.Estate.
New Delhi.
2. The Dy. Secretary (Services).
Service Deptt. (II).
Govt. of NCT of Delhi.
Delhi Secretariat, I.P.Estate.
New Delhi.

(By Advocate: Sh. Vijay Pandita)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

OA has been filed by the applicant seeking quashing of the order dated 7.10.2002 vide which the request of the applicant for appointment on compassionate grounds has been turned down. To assail that order applicant has taken a plea that the impugned order is unjustified and contrary to the provisions and established procedure of the compassionate appointment.

2. It is further stated that since the Education Department had considered the application, so service department should not have rejected. It is further stated that the policy of appointment on compassionate grounds has not been followed. Applicant has further stated that the respondents have failed

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to give details of number of vacancies which have been filled up by various offices.

3. It is further stated that the financial condition of the applicant is very critical after the death of the bread earner. By simply saying that there is no vacancy in the department, respondents have concealed the facts and just rejected the representation.

4. Since no one has appeared on behalf of the applicant so I decide the OA under Rule 15 of the CAT Procedure Rules.

5. Respondents pleaded that the applicant's predecessor has expired on 3.2.1998. Case of the applicant was considered by Screening Committee on 12.7.2002. The Screening Committee had adopted a criteria to consider various applications pending for seeking appointment on compassionate grounds and the criteria adopted by the Screening Committee was that they had considered first priority cases of those families which are living in extremely indigent circumstances and having children who are less than 12 years of age and no other source of livelihood eg. rent, ownership of house, land, belonging of relative values etc. The second priority was given to those families who are in extremely indigent circumstances and has minor children less than 18 years of age but no other source of employment.

6. In case of the applicant it is submitted that applicant had a immoveable property in the shape of his own house and the applicant and his brother both are married and are able to maintain their family. Besides that they are getting pension

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to the tune of Rs.4,050/- and also got terminal benefits amounting to Rs.5,22,644/- and they are also having their own house. Thus, according to the respondents the case of the applicant did not fit in the criteria adopted by the Screening Committee for giving appointment on compassionate grounds.

7. Counsel for the respondents had also produced the minutes of the meeting showing the special criteria adopted by the Screening Committee.

8. After going through the same, I find that there is no case for interference in the OA because the respondents had applied their mind properly and after following a proper criteria for giving appointment on compassionate grounds found that the applicant's case did not fit in the said criteria. No interference is called for. OA is, accordingly, dismissed.


(KULDIP SINGH)
Member (J)

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